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1 SCRANTON CITY COUNCIL MEETING

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5 HELD:

6

7 Thursday, May 31, 2007

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9 LOCATION:

10 Council Chambers

11 Scranton City Hall

12 340 North Washington Avenue

13 Scranton, Pennsylvania

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CATHENE S. NARDOZZI- COURT REPORTER
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2 CITY OF SCRANTON COUNCIL:

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MS. JUDY GATELLI, PRESIDENT
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6 MS. JANET E. EVANS

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MS. SHERRY FANUCCI
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9 MR. ROBERT MCGOFF

10
MR. WILLIAM COURTRIGHT
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12 MS. KAY GARVEY, CITY CLERK

13
MR. COOLICAN, ASSISTANT CITY CLERK
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15 MR. AMIL MINORA, SOLICITOR

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1 (Pledge of Allegiance recited and moment of
2 reflection.)

3 MS. GATELLI: Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MRS. EVANS: Here.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. FANUCCI: Here.

8 MR. COOLICAN: Mr. McGoff.

9 MR. MCGOFF: Here.

10 Mr. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Here. We are going to

14 be presenting our proclamation, if the

15 students would come up to the front, please.

16 "WHEREAS, the Council of the City of

17 Scranton is desirous of honoring the
18 "SCRANTON HIGH SCHOOL SCHOLASTIC BOWL TEAM"
19 the first school in our region of the
20 northeast to earn a STATE CHAMPIONSHIP
21 representing the Commonwealth of
22 Pennsylvania on the national level; and.

23 WHEREAS, the "SCRANTON HIGH SCHOOL
24 SCHOLASTIC BOWL TEAM" competed in the
25 SCHOLASTIC SCRIMMAGE, a high school academic
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1 challenge for public and private schools,
2 sponsored by the U.S. ARMY, NEUI #19 and
3 WVIA TV. "SCRANTON HIGH SCHOOL SCHOLASTIC
4 BOWL TEAM" has been the overall champions
5 for two consecutive years advancing them
6 onto the SCHOLASTIC BOWL.

7 WHEREAS, the "SCRANTON HIGH SCHOOL
8 SCHOLASTIC BOWL TEAM" competed against 27
9 area high schools in the SCHOLASTIC BOWL, a
10 local academic competition held annually at
11 the Radisson Hotel in Scranton, advancing
12 the team to the 16TH ANNUAL PA ACADEMIC
13 COMPETITION sponsored by the Pennsylvania

14 House of Representatives; and.

15 WHEREAS, the "SCRANTON HIGH SCHOOL

16 SCHOLASTIC BOWL TEAM" will now be

17 representing their school and community in

18 the 20th ANNUAL PANASONIC ACADEMIC CHALLENGE

19 IN DISNEYWORLD, FLORIDA competing against

20 teams throughout the United States; and.

21 WHEREAS, the "SCRANTON HIGH SCHOOL

22 SCHOLASTIC BOWL TEAM" has brought pride to

23 SCRANTON HIGH SCHOOL by their actions in the

24 classroom and in the community. These young

25 men and women are examples of students who

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1 conduct themselves with class and

2 discipline. This "SCHOLASTIC BOWL TEAM" is

3 everything our school and community admire -

4 true representatives of SCRANTON HIGH

5 SCHOOL; and.

6 WHEREAS, the "SCRANTON HIGH SCHOOL

7 SCHOLASTIC BOWL TEAM" wished to express

8 their gratitude to Coach Janet Evans;

9 Principal Brian McGraw, their families,

10 friends and fans; and.

11 WHEREAS, the "SCRANTON HIGH SCHOOL
12 SCHOLASTIC BOWL TEAM" consists of MARK
13 CANNON, son of Michael and Mary Joe Cannon,
14 RACHEL FOGLEY, daughter of Anees and Karen
15 Fogley, MICHAEL GARZARELLA, son of John and
16 Rosanne Garzarella, LAUREN MURSCH, daughter
17 of William and Judy McDonough and NATHAN
18 STEBBINS son of Thomas and Susan Stebbins.

19 NOW, THEREFORE, BE IT RESOLVED, that
20 on Thursday, May 31, 2007, Scranton City

21 Council wishes to congratulate the "SCRANTON
22 HIGH SCHOOL SCHOLASTIC BOWL TEAM" their
23 coaches, teachers and parents for their
24 outstanding achievement.

25 BE IT FURTHER RESOLVED that this

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1 proclamation be made a permanent part of the
2 minutes of this council, as lasting tribute
3 to the "SCRANTON HIGH SCHOOL SCHOLASTIC BOWL
4 TEAM."

5 (Proclamation presented.)

6 MS. GATELLI: Ms. O'Malley, would you

7 like to come up?

8 MS. O'MALLEY: My name is Barbara
9 O'Malley, and I'm a board member of the
10 Scranton Today, and I'm usually behind the
11 cameras at council meetings, at least for
12 the last 12 years. Today I came downstairs
13 because I want to thank and recognize my
14 coworker for the last nine months, Junior
15 Council Member Jackson Lockee. Last fall I
16 was without my long-time -- Ray Craig
17 retired, he was our camera person, and I
18 went to junior council and I asked for a
19 volunteer and I thought maybe they would
20 rotate through and Jackson said, "No, I'd be
21 happy to do it the whole time."
22 It turns out that Jackson is a
23 student at Scranton High in Mrs. McHale's
24 television production class, so not only did
25 I get a wonderful volunteer, but I got a
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1 trained volunteer and I would like to thank
2 the faculty and Mrs. McHale for producing a
3 wonderful student. He is mature. He is so
4 mature he didn't even tell me, as some

5 teenagers would, that he already knew it.
6 He was very kind to me. And I'd also like
7 to, although I have never met her, I'd like
8 to thank his mother because, obviously,
9 somebody instilled a work ethic and
10 responsibility in Jackson and I know that
11 she also has picked him up after many late
12 nights here at council and so I want to
13 thank her.
14 And the last think I would like to
15 do is we have a vacancy and I would be happy
16 to have any student or anyone else from the
17 community who would like to volunteer. I'm
18 a volunteer, Jackson is a volunteer, it's
19 not a paid position, but I would like to
20 extend that invitation and I would also like
21 to thank council for letting me speak first.
22 I realize this is highly out of order and
23 the reason that I need to do this at this
24 time, and I appreciate every one of you,
25 particularly you, Mrs. Gatelli, who I asked
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1 if I could do because Jackson has to leave

2 early tonight and I will be by myself up

3 there, I told him I can't leave until I

4 finish.

5 So, Jackson, I just want you to one

6 thing, do camera four to the balcony. Do

7 you have it? How are we doing up there? He

8 might be getting nervous, he is usually

9 pretty quick. Do you have it? Now, wave

10 and now (Audience applauds.)

11 MS. GATELLI: Thank you, Mrs.

12 O'Malley. Dispense with the reading of the

13 minutes.

14 MS. GARVEY: THIRD ORDER. 3-A.

15 PETITION FOR A STREET LIGHT IN THE 2200

16 BLOCK OF CAPOUSE AVENUE.

17 MS. GATELLI: Are there any comments?

18 If not, received and filed.

19 MS. GARVEY: That's all there is in

20 third order.

21 MS. GATELLI: I just have some

22 announcements. On Sunday, June 3, there

23 will be a concert at Nay Aug at the band

24 stand at 2:00. It will be the

25 Ferke-Bistocchi Memorial Orchestra, the

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9

1 beginning of the summer concerts at Nay Aug.

2 Also, on Sunday at the Waldorf Park on

3 East Mountain from 3 to 7 serving seniors is

4 having their summer benefit. Saturday, Jun

5 2, there will a memorial benefit for a

6 firemen who has passed away, Eddie Joyce,

7 Jr., and that will be held at St. Joe's Hall

8 on Davis Street in Minooka from 6 to 11 and

9 the price of that is \$10.

10 On Sunday, June 13, at 7:00 there

11 will be an ice cream social at St. Peter's

12 Lutheran Church on Ash and Taylor and it

13 will benefit the band trip.

14 On Saturday, June 9, at 5:30 to

15 7:30, EOTC will be having a renovation party

16 over at 431 N. Seventh Avenue right near the

17 credit union. They had purchased that

18 building and are going to be moving all of

19 their facilities into there. The price of

20 the ticket is \$25 and you can purchase

21 tickets by calling 348-6484.

22 On Saturday, June 9, the Lackawanna

23 County Medical Society will be having their
24 health fair at Nay Aug from 10 to 2. There
25 will over 50 vendors and there will be
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1 health screenings for free, Rock 107 and
2 there be some physicians on-site.
3 Good luck to Jackson, we wish him
4 well, and also Katrina Organ. Last week was
5 Katrina's last meeting and it's been a
6 pleasure to be working with these young
7 children, the future leaders of our
8 community.

9 I would just like to see if maybe we
10 can have a pave cut inspector come in and
11 meet with council. I have gotten numerous
12 complaints about pave cuts, one in the 100
13 of Wyoming, one in the 900 of Jefferson that
14 needs repaving, the 1000 of Vine and the
15 1000 of Quincy. Those are the four that I
16 have gotten numerous complaints about and
17 I'd like to possibly have them come in and
18 see if we can't rectify them.

19 Last week I asked for the Community

20 Development list of police officers and at
21 first I had been given one that was given to
22 Mr. Courtright back in September, but there
23 is a different one regarding that, an
24 up-to-date one, and we did ask for more
25 police officers and Chief Elliott said that
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1 to check with Miss Hailstone and was
2 informed that a cap was on public service
3 money and we reached our maximum funding, so
4 what I would like to do is find out what
5 other projects are public service projects
6 that maybe we can cut back on them instead
7 of on these. I know that in west side Jill
8 Foley and Melissa Forsett. In Greenridge
9 Jason Christiano and Pat Cavanaugh. South
10 Scranton has Chad Doherty. North Scranton,
11 Officer Ken James and Tim Charles and in the
12 hill section there is no assignment, so
13 there are none in the hill and there is only
14 one in south side and we always had two
15 there, so I don't understand why we have
16 less than more and this council appropriated

17 that --

18 MR. COURTRIGHT: I can tell you.

19 MS. GATELLI: Go ahead.

20 MR. COURTRIGHT: They need to hire

21 more officers. When the officers go from

22 out of the order of rank 140 they take them

23 from the COM-E officers, so they move them

24 from the COM-E into the rank of 140 so

25 actually they're being giving a test this

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12

1 summer, I believe it's next month, for the

2 police officers that we hired more officers

3 so the bottom line is we don't have anybody

4 to fill those slots, so we got to hurry up

5 and get tested and get these guys out here.

6 MS. GATELLI: That doesn't help us

7 all summer.

8 MR. COURTRIGHT: Right.

9 MS. GATELLI: That's very

10 unfortunate. Then they'll have to go for

11 training, then they won't be there until

12 Christmas.

13 MR. COURTRIGHT: Right. Absolutely.

14 MS. GATELLI: I wanted to bring your
15 attention that there are some street paving
16 going on and it's K-Routes that are being
17 paved. Boulevard Avenue from Electric to
18 Parker Street, Monroe from Mulberry to
19 Popular, South Webster from Birch to Main,
20 and Genet to Duncan. West Popular, Grove,
21 Court and Albright from Wyoming to
22 Providence. Birch from Washington to South
23 Webster. River from East Mountain Road to
24 Stafford, Rockwell, Charles and Marvin from
25 West Market to North Main. These are all

13

1 K-Roads and they are paved with 80 percent
2 federal funds. So that's a little bit of
3 good news.

4 Next, I just received this tonight,
5 it's for first Friday that's held in the
6 downtown and they would like you to stop by
7 B's Floral Design at 131 Penn Avenue
8 tomorrow from 6 to 9 and one of the artists,
9 Kevin Carey, was hit by a dump truck coming
10 home from work after visiting a child at

11 home for their school studies. Kevin is a
12 special ed teacher and the accident left him
13 with several disabilities. If you would
14 take a moment and visit and support him his
15 art will be displayed there tomorrow
16 evening.

17 I'd also like to give a report,
18 although I wasn't here last week I was out
19 sick, and I wanted to tell you that the day
20 after the last meeting, which would have
21 been May 18, I did call the Department of
22 Environmental Protection concerning Daron
23 Industries and I filed a complaint on behalf
24 of City Council. They did send me -- I
25 talked to Mary Beth Nestor, she recalled
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14

1 when we had this problem in my neighborhood
2 and she was so kind as to send me all of the
3 reports that they had written when they
4 check there on complaints. They have 14
5 complaints since 2004. So, if anyone -- I
6 will share these with my fellow council
7 members and we will proceed from there, but

8 they are aware of the situation and I did
9 file a complaint.
10 I'd also like to make a motion
11 tonight to prepare -- have Amil prepare an
12 ordinance or Rob Farrell, whoever has to do
13 it, to ban truck traffic in the 1700 block
14 of Dickson. This is only one small thing
15 that we can do to help the situation that's
16 happening there. I don't know if it will
17 abate all of the problems, but it will be
18 one small step into making it better there
19 and all of council I'm sure is interested in
20 this, we have all discussed this, and I
21 think that banning the truck traffic would
22 be one step --

23 MS. EVANS: Second.

24 MS. GATELLI: -- so I make that
25 motion. Anyone on the question?

15

1 MS. EVANS: Yes. I went down to
2 visit the area this week and I noticed that
3 their usual entrance had now been closed
4 down and great piles of cinder blocks now

5 prevent any view of the property from the
6 Dickson Avenue side. I also know that
7 despite the fact that the manager,
8 Mr. Lewis, indicates that all truck traffic
9 is confined to the hours of 7 a.m. through
10 7 p.m. the neighbors report that trucks are
11 idling outside Daron Northeast as early as
12 5:30 a.m. and so I, too, feel, very strongly
13 the only solution to this is to close that
14 street down the 1700 block for the benefit
15 of the residents to all truck traffic.

16 MS. GATELLI: Does anyone else have
17 anything? All in favor?

18 MS. EVANS: Aye.

19 MS. FANUCCI: Aye.

20 MR. MCGOFF: Aye.

21 MR. COURTRIGHT: Aye.

22 MS. GATELLI: Aye. Opposed? The
23 ayes have it and so moved. Does anyone else
24 have any announcements to make? Mrs.
25 Garvey? Mrs. Evans?

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16

1 MS. EVANS: Good evening. I ask you

2 to remember in your prayers a young man who
3 was my student and a National Honor Society
4 member of which I'm the moderator, Matthew
5 Grendel. His devoted parents, Dennis and
6 Patti, and his siblings, Jane and Pat also
7 ask that you pray for them.

8 In the last two weeks William Fox,
9 Jr., a retired teacher at West Scranton High
10 School, and Charles Benzel, a retired
11 Scranton police officer passed away. Please
12 keep both men and their families in your
13 prayers as well.

14 I wish to thank Gerry Knight for her
15 contribution to the Kids Swim Free Fund.
16 I'll be sure Mr. Jackowitz has it in his
17 hands tonight.

18 The pave cut inspector,
19 Mr. Hazzouri, reported that the paving
20 project was put out to bid on May 24, 2007,
21 and Diamond Avenue was placed on the list.
22 It should be paved by the end of June or the
23 beginning of July. I hope to hear soon from
24 the inspector that the block of Wheeler
25 Avenue council discussed at it's last

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1 meeting will also be added to the paving
2 list. And if my colleagues agree, can we
3 schedule a public caucus with Mr. Gene
4 Barrett, executive director of the Scranton
5 Sewer Authority for the June 14 meeting.

6 I'd like to discuss the 56 percent rate
7 increase and the lease back agreements.

8 MS. GATELLI: We'll schedule that.

9 MS. EVANS: Thank you. I am more
10 than a bit concerned that the sales manager
11 of Daron Northeast wishes only to meet
12 privately with council to discuss the
13 problems at this business rather than
14 publically. He also indicates he can meet
15 with us separately or as a group, obviously,
16 he is not acquainted with the Sunshine Law
17 and any meeting that would involve the five
18 members of council must be a public meeting,
19 but such arrangements, such private back
20 door arrangements, raise a red flag. If
21 you're in compliance with DEP and OSHA, if
22 you have not harassed the neighbors, and if

23 you want to be a good neighbor why are you

24 afraid to meet with the taxpayers? I will

25 not meet with Daron unless five neighbors

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1 are present at the private conference to

2 represent the affected areas of Scranton.

3 Also, I move that Parks and

4 Recreation director will provide council

5 with an itemized list of costs for the dog

6 park and a copy of the rules drafted for

7 entrance therein.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question?

10 MS. EVANS: I know that I had sent a

11 letter requesting these itemized costs

12 before, however, I did not make that in the

13 form of a motion I thought perhaps that

14 might hold it up and so I'll follow the

15 proper procedures and hopefully we will have

16 that answer for the public as soon as

17 possible.

18 MS. GATELLI: Anyone else on the

19 question? All in favor?

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MR. COURTRIGHT: Aye.

24 MS. GATELLI: Aye. Opposed? The

25 ayes have it and so moved. If you like we

.

19

1 can have Tom McLane come in, he designed it,

2 if you would like to see it.

3 MS. EVANS: Well, I think --

4 MS. GATELLI: We can do that, too.

5 MS. EVANS: I think --

6 MS. GATELLI: He will probably do

7 the specs and put it out to bid. That might

8 be a good idea.

9 MS. EVANS: I'm just curious about

10 the costs because I know from several

11 residents who contacted me who have

12 performed their own research on the Internet

13 they are saying that costs for similar dog

14 parks seem to be coming in at approximately

15 \$100,000, so that's why I'm looking for

16 exactly, you know, where that is coming

17 from.

18 Because of the cost discrepancy for
19 the beautiful tree house reported by
20 Mr. Scopelliti for \$300,000 and a local
21 television news station for \$650,000 I move
22 that the Parks and Recreation director
23 provide a cost breakdown in total for this
24 project since several citizens asked me to
25 do so.

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1 MR. COURTRIGHT: Second.

2 MS. GATELLI: On the question? All
3 in favor?

4 MS. EVANS: Aye.

5 MS. FANUCCI: Aye.

6 MR. MCGOFF: Aye.

7 MR. COURTRIGHT: Aye.

8 MS. GATELLI: Aye. Opposed? The
9 ayes have it and so moved.

10 MS. EVANS: I further move that the
11 city -- the Office of City Controller
12 provide invoices for all capital projects
13 from 2002 through 2007.

14 MR. COURTRIGHT: I'm sorry, can you
15 repeat the motion, I was writing. I don't
16 want to second something I didn't hear.

17 MS. EVANS: I move that the Office
18 of the City Controller provide invoices for
19 all capital projects for 2002 through 2007.

20 MR. COURTRIGHT: I'll second the
21 motion, but could I -- I'll wait for on the
22 question.

23 MS. GATELLI: On the question?

24 MR. COURTRIGHT: On the question, I
25 think some of the information we have asked
.

21

1 for in the recent past Mrs. Novembrino, and
2 I'm not going to speak for Mrs. Novembrino,
3 but feels that it's available to us and we
4 didn't need to go at it as far as a motion,
5 so I don't know if this is one of those
6 items or not.

7 MS. FANUCCI: It is.

8 MS. EVANS: If I might jump in, I'm
9 looking for information with regard to the
10 capital budget and we all know the capital

11 budget is very minute document that in no
12 way explains or itemizes according to the
13 requirements of the Home Rule Charter, so
14 I'm simply trying to get the specifics of
15 the general statements made within that
16 budget.

17 MR. COURTRIGHT: Okay. I just
18 didn't know if this would all fall under one
19 of things that she thinks are already
20 supplied to us and we can easily go over and
21 pick up. I don't want to put any undue
22 burden on her, but I'll second that.

23 MS. GATELLI: Anyone else on the
24 question?

25 MR. MCGOFF: Why back to 2002?

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1 MS. EVANS: Because there has been no
2 real explanation all these years. It's been
3 a five-year plan, a capital budget covers a
4 five-year span, a new one, in fact, should
5 be in the process of development as we
6 speak, but even with regard to the prior
7 plan there were no annual updates explaining

8 the dollar figures provided in every
9 category and according to the Home Rule
10 Charter the administration is to provide
11 that information, nevertheless, they have
12 failed to do so throughout the years and as
13 a result city council has not passed the
14 capital budget in at least the last two
15 years. Unfortunately, even without approval
16 of city council the capital budget
17 automatically passes.

18 MS. GATELLI: Anyone else? All in
19 favor?

20 MS. EVANS: Aye.

21 MS. FANUCCI: Aye.

22 MR. MCGOFF: Aye.

23 MR. COURTRIGHT: Aye.

24 MS. GATELLI: Aye. Opposed? The
25 ayes have it and so moved.

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23

1 MS. EVANS: Next, I did receive a
2 response from Mrs. Novembrino, city
3 controller, regarding consultant invoices,
4 however, I received but few because the

5 remainder are in storage. I would like a
6 letter sent to Mrs. Novembrino requesting
7 that the Controller's Office locate all
8 consultant invoices dating back to January
9 2002, as per council's motion.

10 I also have citizen's request for
11 the week. 1326 Penn Avenue, cut high grass
12 and clear this vacant city-owned lot. A
13 letter to Mr. Brazil, Director of Parks and
14 Recreation, please purchase a new flag for
15 the large flag pole just beyond the Everhart
16 Museum. The current flag is noticeably torn
17 and ragged in appearance. Replace this as
18 soon as possible since Veterans reported
19 this substandard display, in fact, this past
20 Memorial Day, Monday.

21 Also, citizens have requested that
22 no dogs should be allowed in the new tree
23 house. Problems have already occurred for
24 several visitors.

25 1101 Cedar Avenue remains an eyesore

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24

1 for the surrounding area. Residents wish to

2 know when this property will be addressed.

3 Please provide a written response on or

4 before June 6.

5 Residents of south side request a

6 clean-up of Connell Park for use by children

7 in summer. They ask that perhaps the junior

8 council would address this problem as they

9 have demonstrated such fine work at the

10 Doherty Street playground.

11 A memo to Mr. Parker, when is the

12 street sweeper scheduled for street cleaning

13 in the plot section of Scranton.

14 A letter to Chief Elliott, was a

15 study or observation conducted of the

16 speeding and failure to obey a stop sign at

17 the intersection of 16th Avenue and Division

18 Street. Neighbors continue to report these

19 hazardous conditions and fear for the safety

20 of children playing in the vicinity.

21 A letter over to Mr. Setizinger

22 regarding 2931 Birney Avenue. This house

23 was scheduled for demolition by the owner in

24 September 2006. The plywood has been torn

25 down and neighbors report that people are

1 observed frequently entering and existing
2 the structure.

3 Also, south side residents report
4 abandoned vehicles in their area. They have
5 asked if an inspector is assigned to south
6 side.

7 To my friend with the tax refund
8 problem, I will visit the tax office in
9 person for you and report the results.

10 One more thing, I would ask that a
11 letter be sent to Chief Elliott regarding
12 illegal parking and traffic enforcement
13 thereof on Dickson Avenue and he, once
14 again, responded promptly. He sent out a
15 directive to Captain Carl Graziano stating,
16 "I have recently received complaints of
17 illegal parking on sidewalks and truck
18 traffic exceeding the speed limits in the
19 area of Dickson Avenue. Please have the
20 patrol officers pay special attention to
21 this area and enforce any and all
22 violations. Please let me know the results

23 of this investigation."

24 So, I thank Chief Elliott for his

25 timely attention to that matter, and that's

.

26

1 it.

2 MS. GATELLI: Thank you. Mrs.

3 Fanucci?

4 MR. FANUCCI: Let me see if Mr. Quinn

5 is here. Last week Mr. Ozzie Quinn got up

6 and had a suggestion about rehabbing median

7 homes and helping people who are having

8 trouble getting loans within the city. What

9 I did was I checked on that and it seems

10 like OECD will not approve of any projects

11 that do not go to moderate or low income.

12 There is nothing for anyone else. That is

13 the only -- their only requirement and that

14 is their only specification for any of their

15 projects for moderate to low income people.

16 So, unfortunately, that is not something

17 that they can do within the city.

18 Also, we tonight had -- or today

19 during the day at 3:00 the representatives

20 Mr. Shimkus, Mr. Smith, and I believe three
21 others came in and spoke about the
22 nonsmoking ordinances that they are thinking
23 about enacting for the State of
24 Pennsylvania. They had the Department --
25 the head of the Department of Health came
26 .
27

1 and a lot of the same people, the students
2 and others, came into testify and I have to
3 say that the meeting I thought went very,
4 very well, unfortunately, I couldn't stay
5 for the whole entire thing, but it went very
6 well and it seems that this is definitely
7 something that they are on and hopefully
8 will pass within, you know, the near future,
9 I have to say. And we are very -- they did
10 praise us actually for being courageous
11 enough to step up and to do what we are
12 doing in the City of Scranton. They also
13 placed the high school students who were
14 very instrumental in bringing this stuff
15 forward and making sure that we knew exactly
16 what their reasoning was.

17 I have to say I got lots of phone
18 calls this week from people in businesses
19 who are still keeping nonsmoking within the
20 business and I thank you for that and thank
21 you for sticking with clean air, and that is
22 all I have. I just wanted to say thank you.

23 MS. GATELLI: Thank you.

24 Mr. McGoff?

25 MR. MCGOFF: Nothing. Thank you.

28

1 MS. GATELLI: Mr. Courtright?

2 MR. COURTRIGHT: Yes. Kay, I know we
3 sent a letter down on Greenbush Street in
4 North Scranton, but we sent another one. I
5 got a call from a gentleman who was at a
6 Memorial Day party there, blew out his tire
7 and crushed his rim to the tune of \$400, so
8 if they could check that out, please. And I
9 don't know who this goes to, I guess
10 Mr. Brazil would be in charge of the
11 treehouse, right? I don't have much
12 occasion to go up to Nay Aug, but I tried to
13 make it up there this Saturday, but they

14 were running a race and I didn't want to
15 interfere with the race, I wanted to take a
16 look at it, but I was stopped by someone,
17 they said they walked out onto the treehouse
18 with their child and it was really wobbly
19 and they spoke to someone, I guess, a
20 construction worker hired and that they were
21 hired to do some type of repair on the
22 treehouse because it's not stable. He said
23 it wasn't dangerous, but it moves, so I
24 don't know if we can ask Mr. Brazil if there
25 is any truth to that or ask Mrs. Novembrino
.
29

1 and is she authorizing any payment to
2 anybody to do any repairs on that? That's
3 all I have. Thank you.
4 MS. EVANS: Mrs. Gatelli, just one
5 more item, if I may? I had discussed this
6 with you prior to our entrance in chambers
7 tonight, before approving tonight's project
8 loan I move that Solicitor Minora prepare an
9 ordinance to require lien placement against
10 all properties that receive loans from the

11 City of Scranton or OECD or authorities or
12 agencies thereof.

13 MS. GATELLI: I'll second that.

14 Anyone else on the question? No? All in
15 favor?

16 MS. EVANS: Aye.

17 MS. FANUCCI: Aye.

18 MR. MCGOFF: Aye.

19 MR. COURTRIGHT: Aye.

20 MS. GATELLI: Aye. Opposed? The
21 ayes have it and so moved.

22 MS. EVANS: Thank you.

23 MS. GATELLI: Mrs. Garvey?

24 MS. GARVEY: FOURTH ORDER. 4-B. FOR

25 INTRODUCTION - A RESOLUTION - ACCEPTING
.

30

1 RECOMMENDATION OF THE HISTORICAL
2 ARCHITECTURE REVIEW BOARD ("HARB") AND
3 APPROVING THE CERTIFICATE OF APPROPRIATENESS
4 FOR HARTLEY & ESGRO WATERPROOFING CO., INC.,
5 312 S. SHERMAN AVENUE, SCRANTON, PA 18504
6 FOR MASONRY REPAIR ON THE SCRANTON PUBLIC
7 LIBRARY ANNEX-CHILDREN'S LIBRARY LOCATED AT

8 520 VINE STREET, SCRANTON, PA 18503.

9 MS. GATELLI: At this time I'll

10 entertain a motion that 4-B be introduced.

11 MR. COURTRIGHT: Second. I'm sorry,

12 so moved.

13 MS. FANUCCI: Second.

14 MS. GATELLI: On the question? All

15 those in favor?

16 MS. EVANS: Aye.

17 MS. FANUCCI: Aye.

18 MR. MCGOFF: Aye.

19 MR. COURTRIGHT: Aye.

20 MS. GATELLI: Aye. Opposed? The

21 ayes have it and so moved.

22 MS. GARVEY: 4-C. FOR INTRODUCTION -

23 A RESOLUTION - AUTHORIZING THE SALE OF TAX

24 CLAIMS TO THE REDEVELOPMENT AUTHORITY OF THE

25 CITY OF SCRANTON, AND AUTHORIZING THE

.

31

1 EXECUTION OF A PURCHASE AND SALES AGREEMENT

2 RELATING THERETO; AUTHORIZING THE HIRING OF

3 MUNICIPAL REVENUE SERVICES, INC. AND THE LAW

4 FIRM OF ELLIOTT GREENLEAF SIEDZIKOWSKI AND

5 BALABAN RELATING TO THE TRANSACTION.

6 MS. EVANS: Mrs. Gatelli, before you

7 take the proper steps to move that along,

8 I'd like to make a motion to table 4-C.

9 Since we last met I believe each of us

10 received written communication from another

11 company, Expand. If I can have a moment

12 here, I believe it's in the best interest of

13 the taxpayers of Scranton to ensure that

14 this transaction or such contract would be

15 put out to bid. It's my full understanding

16 that this contract had never been put out to

17 bid but rather was hand selected by the

18 mayor and it is very possible that through

19 the bidding process the taxpayers of

20 Scranton could realize an even greater sum

21 of money for the sale of our tax

22 delinquencies and I'd just like to read the

23 letter that we received from Expand: "In

24 late April of I was alerted to a newspaper

25 article outlining the proposal to sell

.

32

1 Scranton real property taxes.

2 "Expand, a part of the respected
3 investment banking firm Baer-Sterns, is the
4 nations preeminent tax lien purchaser and
5 servicer. We would welcome the opportunity
6 to show you how much our company would be
7 willing to pay for Scranton's delinquent
8 property taxes. Expand hopes that Scranton
9 will consider soliciting competing bids for
10 the purchase of it's delinquencies. The
11 competitive bidding process encourages
12 potential purchasers to aggressively price
13 the city's delinquencies and, consequently,
14 helps ensure that Scranton will generate the
15 maximum revenue benefit from such a
16 transaction. Other municipalities in
17 Pennsylvania have solicited competing bids
18 for their property tax delinquencies and
19 there is a market of qualified purchasers.
20 Our Pennsylvania clients include the City of
21 Erie, the City of Chester, Montgomery County
22 and several school districts," and it is
23 signed Charles R. Smith.
24 And I believe, as I said a moment
25 ago, it is in the best interest of the city

1 and the people of this city that this

2 contract be put out to bid.

3 MR. COURTRIGHT: I'll second that,

4 but I want to speak on the question.

5 MS. GATELLI: On the question.

6 MR. COURTRIGHT: I'd like to say

7 this, I understand not everything,

8 especially professional services need to be

9 put out to bid, but I think in this

10 particular case that if we got a recent

11 RFP I'm sure there are several companies

12 that would like to, you know, put their name

13 in for this. It's probably lucrative for

14 them and maybe, just maybe, we can get a

15 little bit more money for the city, and I

16 think we all know we need it. So, I would

17 like to see at least a RFP process. I agree

18 to a certain extent with the selling of them

19 because we are going to get the money up

20 front and we certainly need it, but, you

21 know, I hate to use the term best bang for

22 our buck, I use that a lot here, but I think

23 it's that's what we need, so I'll second

24 that motion.

25 MS. GATELLI: Anyone else on the

.

34

1 question.

2 MS. EVANS: Yes, in terms of added

3 justification the sale to MRS will leave

4 a -- well, actually, an over \$900,000 gap in

5 the operating budget expenditures. I

6 believe by putting this out to bid we can

7 well makeup part of that loss, if not all of

8 that loss. If you recall 3.6 million was

9 plugged in as revenue in 2007 from this sale

10 and now we learn that in actuality what will

11 come into this city is closer to 2.7

12 million.

13 MR. MCGOFF: Do we jeopardize losing

14 the opportunity to gain this revenue by

15 prolonging this process? We can put this

16 out to bid and by the time we would vote on

17 this and approve a company for the sale of

18 these tax liens do we jeopardize losing the

19 revenue for 2007?

20 MS. EVANS: Well, it appears that at
21 least from the caucus we had with MRS they
22 were arranging, for example, a contract that
23 would have begun or they were going to back
24 date it to February 2007 through February
25 2008 at which time the contract would be
.

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1 considered for renewal, so I would imagine
2 that any firm, any reputable firm can
3 certainly do the same thing, or begin the
4 process at such time as the contract is
5 signed, which I'm sure will be within 2007.

6 MS. FANUCCI: Attorney Minora, is
7 there anything in the legislation saying
8 time constraints? Are we under any time --

9 MR. MINORA: I hadn't read it to look
10 for that particular thing and it was just
11 raised I opened it up to look at it and see
12 what the term of it is and without some time
13 to review it I don't think I can answer that
14 right off the bat.

15 MR. COURTRIGHT: Mrs. Gatelli, can I
16 say one thing more?

17 MS. GATELLI: Sure.

18 MR. COURTRIGHT: This particular
19 piece of legislation because I didn't
20 believe I was up to speed on it, I went and
21 I sought out somebody that's involved and
22 has been involved in this type of
23 transaction before and he thought it was a
24 good deal for the city because I questioned,
25 you know, could we have done this in-house
.
36

1 and should we have been doing this in-house,
2 three years gone by, and maybe we should
3 have but we didn't, so now we are at the
4 point where we are and his recommendation to
5 me, and he had no stake in this one way or
6 the other and that's why I sought him out,
7 he felt it would be good deal for the city
8 and also a good deal for the company. He
9 said if he had a company of this nature he
10 would really like to get these contract and
11 that's why I think, you know, an RFP, if not
12 we'll bid. If there's an RFP I think that
13 can move along really quick. I certainly

14 don't want to lose it. There is going to a
15 gap. I mean, there is a gap anyway even if
16 we sold. It's 2.8 and it was a budgeted at
17 3.2, is that?

18 MS. EVANS: It's budgeted at 3.6

19 and--

20 MR. COURTRIGHT: 3.6.

21 MS. EVANS: And after all of the
22 costs involved we are going to bring in 2.7.

23 MR. COURTRIGHT: So there is going to
24 be a little bit of a short fall and --

25 MS. EVANS: Well, it's almost a

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1 million dollar shortfall.

2 MR. COURTRIGHT: I'm trying to be
3 kind.

4 MS. FANUCCI: We are going to incur
5 those costs regardless, I think, no matter
6 who is representing us and my theory is that
7 the reason that this firm was chosen was
8 because they represented the Scranton School
9 District and they did a wonderful job and
10 they were extremely happy with the progress

11 that they made over there and what their
12 return was, so I don't feel that we will be
13 getting a bad deal.

14 MR. COURTRIGHT: I don't question
15 that they are a good company, I don't
16 question that at all because I did speak
17 with some school directors and --

18 MS. FANUCCI: Yeah, they were
19 thrilled.

20 MR. COURTRIGHT: -- and they were
21 very happy with the company. I'm just
22 thinking if there is another company out
23 there that's just as reputable that's
24 willing to give us more money, let's take
25 it. You know, I have nothing against this
.

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1 company, I have only met those gentlemen
2 that night they were here, I'm just looking
3 to try to get the most money for this city
4 that we could.

5 MS. EVANS: And, if I might add, I
6 had read the Erie newspaper, it was not the
7 Scranton School District actually who

8 recommended MRS to Mayor Doherty, rather
9 Mayor Doherty was visiting Erie and Mayor
10 Doherty struck this deal himself with this
11 company and the article indicated, as did
12 the Scranton Times, that this was never put
13 out for bid.

14 MS. FANUCCI: I thought that those
15 people wrote a letter representing Erie?

16 MS. EVANS: No, they don't -- I asked
17 them that evening, "Do you represent the
18 city in which your headquarters are
19 located," and their answer was, "No."

20 It appears that Expand represents
21 their city.

22 MS. GATELLI: Anyone else on the
23 question? The motion is to table 4-C and
24 5-A; correct?

25 MR. COURTRIGHT: No, just 4-C. It

39

1 would actually make 5-A moot if we table
2 4-C.

3 MS. FANUCCI: No, the problem --
4 regardless of whether or not we --

5 MR. MINORA: The motion is just for

6 4-c.

7 MS. FANUCCI: But, regardless of

8 whether or not we go with the legislation we

9 still are going to need to have our --

10 MS. GATELLI: Fees in place.

11 MS. FANUCCI: Fees in place and still

12 be able to pursue what we are pursuing which

13 is to be able to put the loans on the

14 properties and be able to do that. That

15 is more imperative now than anything, that

16 we have our legislation in place so we can

17 do our jobs in the city. You know, we

18 cannot put these liens on these properties

19 if we do not agree to the legislation for

20 them to do it, so that is definitely going

21 to be a problem.

22 MS. GATELLI: So this for tabling

23 4-C. All in favor? Aye.

24 MS. EVANS: Aye.

25 MS. FANUCCI: Aye.

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1 MR. COURTRIGHT: Aye.

2 MS. GATELLI: Opposed?

3 MR. MCGOFF: No.

4 MS. FANUCCI: No.

5 MS. EVANS: Kay, would you contact

6 the gentleman from Expand who corresponded

7 with each of us and ask him if he would be

8 interested in speaking with council?

9 MS. GARVEY: Okay. FIFTH ORDER.

10 5-A. READING BY TITLE - FILE OF COUNCIL NO.

11 82, 2007 - AN ORDINANCE - APPROVING PENALTY,

12 INTEREST AN FEE SCHEDULE FOR COLLECTION OF

13 DELINQUENT REAL ESTATE TAXES.

14 MS. GATELLI: You have heard Reading

15 by Title of Item 5-A, what is your pleasure?

16 MR. MCGOFF: I move that Item 5-A

17 pass Reading by Title.

18 MS. FANUCCI: Second.

19 MS. GATELLI: On the question?

20 MS. EVANS: I believe that a portion

21 of what this legislation contains is already

22 pursued and required by law. Beyond that, I

23 believe that it inflicts Draconian measures

24 on delinquent taxpayers and I would believe

25 the object is to collect the delinquent tax,

1 not to triple the amount such that the
2 delinquent taxpayer will never have the
3 ability to pay that tax and will wind up
4 losing his or her home.

5 MS. GATELLI: Anyone else on the
6 question?

7 MR. COURTRIGHT: Yes, Mrs. Gatelli.
8 Several weeks back I know we spoke about
9 this in caucus and Mr. Minora give us his
10 explanation and then tonight at the caucus I
11 found out about a different explanation, I'm
12 not voting for it this week anyway because
13 I'm just not comfortable. I'm just not
14 comfortable that I understand and then
15 that's my fault and I apologize, but before
16 I vote, yes, for this I want to be
17 comfortable, so I'm going to sit down one on
18 one and speak with Mr. Minora and this week
19 and see if he can't make me more comfortable
20 with it. I think I understand what he was
21 trying to tell me in caucus there, but I'm
22 fearful that possibly what Mrs. Evans just

23 said could be true, and if that is true then
24 I would vote, no. If what he explains to me
25 contradicts then I will vote in the
.
42

1 affirmative, but I -- just I'm just not
2 comfortable voting, yes, at this time.

3 MS. GATELLI: From what I understand
4 the fees will be going to the city.

5 MR. COURTRIGHT: Right, I understand
6 that.

7 MS. GATELLI: Go ahead, Mr. McGoff?

8 MR. MCGOFF: I was going to say the
9 same thing, these are not fees that are
10 being taken by the collection agency, these
11 are fees that will be incurred by the city
12 and placing the liens against property and
13 not every -- not every one of these would be
14 assessed, it is a progressive policy that
15 when one stage is not met then it proceeds
16 to the next stage and so that not every one
17 of these fees would be incurred by everyone
18 who was delinquent on their taxes. In fact,
19 it would probably be a very, very rare

20 occasion that all of these fees would be
21 assessed to anyone. It is my understanding
22 that in most cases the fees rarely go beyond
23 the first stage, and with that said, I think
24 that we need to place fees on the delinquent
25 taxpayers because by not doing that I think
. . .
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1 we place a greater burden on the taxpayer,
2 on the person who does pay their taxes, a
3 person that pays their taxes is now paying
4 for not only themselves, but they are paying
5 an additional tax for the people who won't
6 pay and without any means of forcing them to
7 pay taxes, pay their delinquent taxes, they
8 may not and so I feel that these are
9 justifiable and I would vote, yes.

10 MS. GATELLI: Anyone else on the
11 question?

12 MS. EVANS: Yes. I would ask council
13 to keep in mind that with regard to
14 delinquent tax collection a fee of
15 25 percent is already attached above and
16 beyond the delinquency. That, of course,

17 goes to NCC not to the city and I in no way
18 wish to suggest that I'm opposed to the
19 collection of delinquencies, however, I do
20 know when I believe it was approximately 27
21 additional costs, fines, penalties and fees
22 are attached to a delinquency it's going to
23 make it virtually impossible to collect your
24 delinquent tax. Now, that can place a
25 greater burden on the taxpayer. At the same
44

1 time, however, you are going to have a home
2 then, one that a family previously lived in.
3 I don't see, frankly, that we have a great
4 influx of people moving into the City of
5 Scranton particularly since we have such
6 oppressive taxes. Whether we are talking
7 about the wage tax, the increases in the
8 school district taxes, the increase levied
9 by the City of Scranton, the Lackawanna
10 County tax increase, people generally are
11 not fighting and screaming to move into this
12 city at this point in time because we don't
13 have a handle on our taxes. So what happens

14 to property then, more blighted property,
15 more of the value of our homes plummeting.
16 I think the wise thing is certainly, and we
17 would all agree to this, is to collect the
18 delinquency, but let's make it possible to
19 collect the delinquency.

20 MS. FANUCCI: All of those fees are
21 not imposed on every delinquent tax. It's
22 not part of the system. It is there for
23 backup just in case. One thing is to place
24 a lien, if that does not work the others are
25 there, so there is not 30 separate issues
.
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1 that are placed on every lien and every
2 home. And, also, maybe possibly it will
3 bring someone in who maybe willing to pay
4 the taxes. A lot of our problem, too, is we
5 have wonderful taxpaying citizens and also
6 we have a lot of absentee landlords and
7 other people who are not paying their share
8 in this city and that is a major problem for
9 us. The absentee landlord is a huge problem
10 for the citizens.

11 Now, do I feel that we should not
12 collect taxes from them? No. I think we
13 need to do whatever we need to do to get the
14 money this is owed to us in the city. Now,
15 whether or not it's a friendly or a
16 political good move or not doesn't matter.
17 We need to get the money that is owed to us
18 and maybe we wouldn't have to tax the rest
19 of the citizens so much if everyone was
20 paying their share in the city. So that's
21 my feeling.

22 MS. EVANS: And I'm very glad that
23 you did bring up absentee landlords because
24 I do notice that they are, indeed, the
25 individuals who are purchasing the
.
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1 properties within this city, but I think it
2 would be advantageous for the city to pursue
3 the individuals who have for whatever reason
4 gotten away without paying taxes for a long,
5 long, long time because of whom they are and
6 we all know that this goes on and we all
7 know there are people in Scranton with two

8 addresses, one here and one out of town and
9 I don't see -- I also know of wealthy
10 business owners who haven't made payments to
11 the city in quite a long time and yet I
12 don't see the administration pursuing them
13 either yet we are very, very willing here to
14 take the little guy and hold him over the
15 fire. I just want his taxes, I don't want
16 to burn him at the stake.

17 MS. GATELLI: Anyone else on the
18 question?

19 MR. MCGOFF: Two last things:

20 First, many of these fees are things that
21 are already set and that the cost is
22 incurred by the city and so going through
23 the process of trying to collect those taxes
24 is costing the city money. What this is
25 doing is turning that cost back to the

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1 person that owes the taxes.

2 Second, I don't think that without

3 some type of punitive system that people

4 will be encouraged that those who are, let's

5 say, reluctant to pay their taxes will

6 continue to be reluctant if there is no

7 punitive measures to force them to pay.

8 MS. EVANS: The 25 percent is not

9 punitive?

10 MR. MCGOFF: Yes, it is and the more

11 punitive --

12 (Whereupon comments were made from

13 the audience.)

14 MS. GATELLI: Excuse me.

15 MS. EVANS: I agree with you, there

16 are many parts of this that are a natural

17 part of this process that council, frankly,

18 doesn't even need to consider, but what goes

19 above and beyond here I think is going to

20 cause more people to lose their homes than

21 it's going to cause people to be able to pay

22 their delinquencies.

23 MS. FANUCCI: They didn't lose

24 anything when the school board did this

25 process. Nobody left, packed up and left

.

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1 town because the school board was placing

2 liens and they had placed liens, also.

3 MS. EVANS: The school board cannot

4 place liens against a property.

5 MS. FANUCCI: You had to have a

6 personal guarantee, the same thing as an

7 EOCED loan to personally guarantee or

8 whatever it was that they were -- but it was

9 the same amount of money. People didn't

10 just pack up and leave. It's a process and

11 I do believe that the taxpayers deserve to

12 know that we are here and making sure that

13 we are not only watching and being the guard

14 dog, but a lot of times when you are the

15 guard dog you are barking at everyone who

16 comes down the street it doesn't matter if

17 they are good or bad, you are so busy

18 barking you are not seeing a good thing and

19 I believe that the money that we can get

20 from the taxes that are owed to us is a good

21 thing and regardless of who or what we need

22 the money. It is our money that's owed to

23 us. This is not looking for extortion.

24 This is money of people choosing not to pay.

25 MS. EVANS: Well, I don't know if

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1 they are choosing not to pay, all of them,
2 some perhaps.

3 MS. FANUCCI: Some perhaps are
4 choosing.

5 MS. EVANS: Others I think.

6 MS. FANUCCI: Well, you are saying
7 the rich people they are choosing not to
8 pay.

9 MS. EVANS: Well, in those cases, but
10 for --

11 MS. FANUCCI: But they are on the
12 list, also. Everyone who is delinquent is
13 on the list; correct? I mean, it's all
14 delinquent taxes.

15 MS. EVANS: No, not necessarily.

16 MS. FANUCCI: Well --

17 MS. GATELLI: Anyone else on the
18 question? Anyone else on the question?

19 MR. PATILLA: Mrs. Gatelli --

20 (Whereupon there were several
21 comments from the audience.)

22 MS. GATELLI: Excuse me, could you be

23 quiet, please? All those in favor?

24 MR. MCGOFF: Aye.

25 MS. EVANS: Aye.

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1 MS. GATELLI: We are voting on,

2 let's clarify this.

3 MR. MCGOFF: 5-A.

4 MS. GATELLI: 5-A and we're voting

5 on the fees.

6 MR. MINORA: Right, to pass. Pass

7 reading by title.

8 MS. GATELLI: Right, pass reading by

9 title. And there is no one else on the

10 question. All in favor? Aye.

11 MS. FANUCCI: Aye.

12 MR. MCGOFF: Aye.

13 MS. GATELLI: Opposed?

14 MS. EVANS: No.

15 MS. GATELLI: The ayes have it and so

16 moved.

17 MS. GARVEY: SIXTH ORDER. 6-A. For

18 consideration by the committee on FINANCE -

19 FOR ADOPTION - FILE OF COUNCIL NO. 87, 2007

20 - AMENDING FILE OF COUNCIL NO. 66, 2006, AN
21 ORDINANCE "ENTITLED GENERAL CITY OPERATING
22 BUDGET 2007" BY TRANSFERRING \$325,000 FROM
23 ACCOUNT NO. 01.401.15313.4299(DEBT SERVICE
24 OPERATING EXPENSES) TO ACCOUNT NO.
25 01.080.00083.4250 (RENTAL VEHICLES &
. .
51

1 EQUIPMENT) TO PROVIDE FUNDING TO COVER SNOW
2 STORM CLEANUP COSTS.

3 MS. GATELLI: What is the
4 recommendation of the Chair on Finance?

5 MS. EVANS: As Chair for the
6 Committee on Finance I recommend final
7 passage of Item 6-A.

8 MR. COURTRIGHT: Second.

9 MS. GATELLI: On the question?

10 MS. EVANS: Yes. We had requested
11 April 27 the answers to two questions
12 regarding the funding and the accounts. I
13 made a motion again last week and requested
14 a response by May 30 which was not received,
15 so without that information as much as I
16 would like to approve payments I'm afraid I

17 can't.

18 MS. GATELLI: Just for the record on
19 that, the debt service operating expense
20 where it's coming from there was a surplus
21 in there. They had more in there because
22 they anticipated council approving a
23 \$23 million loan, so that is part of the
24 surplus that's in there and they will not
25 miss a bond payment because they don't need

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1 it. There's a surplus in this account. So,
2 that's one answer to one of your questions.
3 The second part of it, of the problem
4 is, that the mayor and Roseanne Novembrino
5 signed an emergency. These people worked
6 under the impression that they were going to
7 be paid for the work that they did.
8 Roseanne Novembrino will scrutinize every
9 voucher. If she doesn't think something
10 should be paid, they will not be paid, so I
11 will be voting in the affirmative on this
12 issue.

13 MS. EVANS: Just to clarify, I'm not

14 questioning the work done by the
15 contractors, on the contrary, I'm
16 questioning budgetary matters and I find it
17 very curious that they plugged in
18 \$23 million after 10 million was approved
19 and before a final budget would have been
20 produced they had, I'm sure ample time in
21 which, and they should have, made that
22 correction which only causes me to question
23 the situation that much further, so I can't
24 pay bills when I don't know the truth about
25 the money behind it.

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1 MS. GATELLI: Anyone else on the
2 question? Roll call?

3 MR. COOLICAN: Mrs. Evans.

4 MRS. EVANS: No.

5 MR. COOLICAN: Mrs. Fanucci.

6 MS. FANUCCI: Yes.

7 MR. COOLICAN: Mr. McGoff.

8 MR. MCGOFF: Yes.

9 Mr. COOLICAN: Mr. Courtright.

10 MR. COURTRIGHT: Yes.

11 MR. COOLICAN: Mrs. Gatelli.

12 MS. GATELLI: Yes. I hereby declare

13 6-A legally and lawfully adopted.

14 MS. GARVEY: 6-B. FOR CONSIDERATION

15 BY THE COMMITTEE ON FINANCE - FOR ADOPTION -

16 FILE OF COUNCIL NO. 97, 2007 - AMENDING FILE

17 OF COUNCIL NO. 252, 2003, THEREBY AMENDING

18 FILE OF COUNCIL NOS. 188 OF 1994 AND 103 OF

19 1995 AS SET FORTH IN THE SCRANTON CODIFIED

20 CODE AT SECTION 332-20 PERTAINING TO FEES

21 FOR USE OF FACILITIES, TO AMEND THE FEES FOR

22 THE USE OF OUTDOOR CITY POOLS OTHER THAN ANY

23 AUG PARK.

24 MS. GATELLI: What is the

25 recommendation of the Chair on Finance?

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1 MS. EVANS: As Chair for the

2 Committee on Finance, I am particularly

3 pleased to recommend final passage of Item

4 6-B.

5 MR. COURTRIGHT: Second.

6 MS. GATELLI: On the question? Roll

7 call?

8 MR. COOLICAN: Mrs. Evans.

9 MS. EVANS: Yes.

10 MR. COOLICAN: Mrs. Fanucci.

11 MS. FANUCCI: Yes.

12 MR. COOLICAN: Mr. McGoff.

13 MR. MCGOFF: Yes.

14 MR. COOLICAN: Mr. Courtright.

15 MR. COURTRIGHT: Yes.

16 MR. COOLICAN: Mrs. Gatelli.

17 MS. GATELLI: Yes. I hereby declare

18 6-B legally and lawfully adopted.

19 MS. EVANS: And I want to thank each

20 and every one of you because this is an

21 effort that I know Mr. Courtright and myself

22 had been pressing toward for four years,

23 this is the fourth year, and I am so proud

24 that five members of this council agreed to

25 provide free swimming for the children of

.

55

1 Scranton.

2 MS. GARVEY: 6-C. FOR CONSIDERATION

3 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT -

4 FOR ADOPTION - RESOLUTION NO. 148, 2007 -

5 APPROVING AND AUTHORIZING A MORTGAGE
6 SUBORDINATION AGREEMENT, IN FAVOR OF FIRST
7 NATIONAL COMMUNITY BANK CONCERNING A CITY
8 OECD COMMERCIAL INDUSTRIAL LOAN WITH EDMUND
9 & CHRIS PISANO PARTNERSHIP.

10 MS. GATELLI: What is the
11 recommendation of the Chair on Community
12 Development?

13 MS. FANUCCI: As chairperson for the
14 Committee on Community Development, I
15 recommend final passage of Item 6-C.

16 MR. COURTRIGHT: Second.

17 MS. GATELLI: On the question? Roll
18 call.

19 MR. COOLICAN: Mrs. Evans.

20 MRS. EVANS: Yes.

21 MR. COOLICAN: Mrs. Fanucci.

22 MS. FANUCCI: Yes.

23 MR. COOLICAN: Mr. McGoff.

24 MR. MCGOFF: Yes.

25 Mr. COOLICAN: Mr. Courtright.

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56

1 MR. COURTRIGHT: Yes.

2 MR. COOLICAN: Mrs. Gatelli.

3 MS. GATELLI: Yes. I hereby declare

4 6-C legally and lawfully adopted.

5 MS. GARVEY: SEVENTH ORDER.

6 CITIZENS PARTICIPATION.

7 MR. MILLER: Good evening, Council,

8 Doug Miller. On behalf of the entire junior

9 city council I would like to congratulate to

10 Jackson Lockee for his service to the junior

11 council. Jackson will be graduating and

12 leaving our council this evening. We wish

13 you the best of luck. You are a hard worker

14 and you were dedicated and at this time I

15 would ask for a round of applause for this

16 fine young.

17 On behalf of the entire junior city

18 council I would like to thank Reverend

19 Katherine Simmons and the rest of the

20 Florence Midtown Crime Watch for honoring

21 our council last Friday evening at the

22 Clarion Hotel. We each received special

23 awards for community service. It was an

24 honor and a privilege to stand with Scranton

25 police officers, Scranton firefighters, and

1 members of the D.A.'s Office. You are the
2 true heroes, and you were the ones who
3 should be commended and recognized for
4 everything that you do to keep us safe.
5 Junior City Council will continue to keep
6 it's promise which is to do everything we
7 can to approve our city and make it a better
8 place for everyone. Thank you again,
9 Reverend Simmons, you are the true leader of
10 this community whom everyone looks up to.
11 On behalf of the Junior Council I would
12 like to thank Mr. Dave Evans for his
13 generous donation to our children's
14 handicapped accessible swingset project. We
15 really appreciate it. Your support will
16 make this project successful and we continue
17 to ask for businesses and residents of
18 Scranton to please support this project by
19 sending a contribution. You can send your
20 donations to 340 N. Washington Avenue,
21 Scranton, PA, 18503, we would appreciate it.
22 Lastly tonight I have an announcement,

23 Junior council will be conducting a park
24 clean up, it's our first of the summer, on
25 Saturday, June 9 at 9 a.m. to be held at
. .
58

1 Dorothy Street playground at Tripp Park, we
2 encourage everyone to attend and lend a help
3 hand and let's make our city attractive.

4 Thank you.

5 MS. GATELLI: Thank you. Fay

6 Franas.

7 MS. FRANAS: Fay Franas, Scranton.

8 I'd like to start off by saying I'm
9 thoroughly disgusted with the majority of
10 this council. You have a finance chair and
11 you don't listen to one word she says. She
12 is the only person up there for the people
13 and I'm really ashamed of you for voting no
14 on that -- or a yes on that rather and see
15 you got elected say they care what people
16 think now.

17 And as for you, Mr. McGoff, you are
18 saying that it's good to raise -- get those
19 taxes -- make them pay those fees because it

20 will help the other taxpayers. My taxes
21 aren't going to go down because those
22 taxpayers are going to be paying those fees.
23 Our taxes are not going to be going down
24 because of that. You are just doing what
25 Mr. Doherty wants and so is Mrs. Gatelli and
.
59

1 so is Mrs. Fanucci and that's the bottom
2 line. You are going to make your excuses
3 all the time.
4 Mrs. Gatelli, I'd like to ask you a
5 couple of questions, please. First I want
6 to read this, on May 25 Attorney George
7 Reihner was quoted in the Scranton Tribune
8 as saying, "The political terrorists must be
9 stopped."
10 This was in reference to the
11 postings on the Doherty Deceit website. The
12 official definition by the United Nation
13 Panel and describes terrorism is any act
14 intended to cause death or serious bodily
15 harm to civilians or noncombatants with the
16 purpose of intimidating the population or

17 compelling the government or an internal
18 organization to do or abstain from doing any
19 act. Political terrorism is recognized and
20 described as violent criminal behavior
21 designed primarily to generate fear in the
22 community of a substantial segment for
23 political purposes."

24 Mrs. Gatelli, you are accusing
25 people in the City of Scranton that are on
.
60

1 this website of terrorism? I don't have
2 time to wait for your answers, will you
3 please answer me. Here we go again. Let me
4 ask you this, the Pilcheskies filed a
5 lawsuit, you countersued with the same
6 docket number, Mrs. Gatelli, are you suing
7 as a council person or is it individual or
8 both? The record please let it note that
9 she doesn't want to answer.
10 I'd like to know who is paying these
11 attorneys fees, would you like to answer
12 that, Mrs. Gatelli, are the taxpayers
13 paying? That's why it's political. This a

14 right for me to say this because I'm a
15 taxpayer and I'd like to know if the
16 taxpayers are going to be paying for this
17 lawsuit? This is freedom of speech. People
18 get up and they call President Bush terrible
19 names, they have the right to say whatever
20 they want about political figures. You sit
21 there and say, no, Mr. McGoff? Yes, they
22 do. I can sit there and say I think you are
23 doing a horrible, horrible job, which is
24 true, and I have a right to say that. So,
25 the countersuit is JoEllen Pilchesky, Joe
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61

1 Pilchesky, and 99 posters, which I'm one of
2 them, so I think I have the right to know if
3 the taxpayers are going to be paying for
4 this lawsuit?
5 Mrs. Gatelli, are you representing
6 the people in the City of Scranton and if so
7 how do you do so by not answering them? I
8 don't know where to go here. I feel like I
9 should talk to the wall here.
10 Let me change the subject since we

11 know that nobody is going to answer these
12 questions, but I hope the taxpayers aren't
13 paying for your lawsuits because that's a
14 shame, we better keep track of that.

15 As far as this dog park everybody
16 knows I want this dog park, but I will say
17 this \$300,000 for a dog park seems nuts.
18 The land is free. I don't care how big the
19 property is, \$300,000 for a fence, two
20 benches a garbage can and two water dishes.

21 I don't know what else you would need.
22 Benches for the people to sit on, a big
23 fence, \$300,000? I certainly hope that you
24 check into who is getting the money for this
25 and exactly how every penny of this is being

62

1 spent.

2 Also, and you ask for an ordinance
3 tonight on that no trucks on Dickson Avenue
4 which is wonderful. How about the truck
5 that I had the law passed ten years on city
6 council for my neighborhood, Mr. Courtright,
7 there is no sign in Luzerne Street coming

8 down Luzerne saying, "No trucks."

9 MR. MINORA: Four minutes.

10 MS. FRANAS: You said you checked it,

11 that was like six months ago. There is no

12 truck sign on Luzerne Street.

13 MR. COURTRIGHT: Heading east?

14 MS. FRANAS: Going down Luzerne

15 Street.

16 MR. COURTRIGHT: Heading east.

17 MS. FRANAS: There is no sign that

18 says, "No trucks allowed."

19 There should be because trucks go

20 down when I come home and all the

21 neighborhoods that go around 00.

22 MR. COURTRIGHT: You're saying make a

23 left on Railroad?

24 MS. FRANAS: Anywhere. You can't go

25 straight. After Meridian Street there is no

.

63

1 trucks allowed. After Meridian Street at

2 Turkey Hill there is no trucks.

3 MR. COURTRIGHT: No, they're only

4 going to the bridge.

5 MS. FRANAS: Then they can't any
6 further so where are they going to go? They
7 can't go right, they can't go left, they
8 can't go straight. Where are they going to
9 go?

10 MR. COURTRIGHT: I don't know.

11 MS. FRANAS: Are they supposed to
12 sit there and jump? I mean, they can't go
13 any further under the bridge, it's against
14 the law. You can't turn right, you can't
15 turn left, you can't go straight. There is
16 no trucks allowed on any of those trucks
17 streets, no, they cannot go there.

18 MR. COURTRIGHT: Some of the
19 businesses on your street at the other end
20 were grandfathered in and they could go that
21 way.

22 MS. FRANAS: Certain ones. That's--
23 we are not talking about Luzerne, you are
24 talking about --

25 MR. COURTRIGHT: Correct.

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64

1 MS. FRANAS: But that's not what I'm

2 talking. We're talking coming down Luzerne

3 Street.

4 MR. COURTRIGHT: Right. I'm saying

5 you can come down Luzerne Street and you are

6 allowed to take a left onto your street to

7 get to their businesses.

8 MS. FRANAS: What business?

9 MR. COURTRIGHT: That --

10 MS. FRANAS: Edwardi, yes, but if

11 there's somebody coming down through that

12 they are going left they can't go there to

13 go through town or go down Broadway to go to

14 town.

15 MR. COURTRIGHT: I don't believe so.

16 I'll check and make sure.

17 MS. FRANAS: I know they can't.

18 There's a sign on the trucks on Fifth Avenue

19 and Broadway is torn down and it's laying on

20 the sidewalk now.

21 MR. COURTRIGHT: It needs to be

22 replaced?

23 MS. FRANAS: Pardon me?

24 MR. COURTRIGHT: Fifth and Broadway?

25 MS. FRANAS: Yes, the sign on the

65

1 sidewalk.

2 MR. COURTRIGHT: Maybe we can call

3 down.

4 MS. GATELLI: Thank you. Mr. Quinn.

5 MR. QUINN: Ozzie Quinn, President

6 of the Scranton Lackawanna County Taxpayers

7 and Citizens Association. First of all, I

8 want to address you, Mrs. Fanucci. I might

9 be Irish, but I didn't fall off a potato

10 truck, okay? You must think I'm really

11 stupid, you know. I have put a lot of years

12 in the community development block grant

13 program and I know about low/moderate income

14 is an eligible criteria.

15 Now, I spoke last week, I spoke

16 about median income and anybody below median

17 income certainly is not moderate income, so

18 they are low income so don't try to explain

19 away a situation that you are avoiding,

20 okay?

21 MS. FANUCCI: I didn't.

22 MR. QUINN: You and Mrs. Hailstone,

23 is it Mrs. Hailstone or Miss, I don't know,
24 but you are avoiding the fact that we do not
25 have an housing rehabilitation for fixed
.
66

1 people who fix up their homes who are low
2 income in this city. You are a spending,
3 the mayor has spent \$10 million giving out
4 in commercial loans in the last five years
5 and if you are read the names of these loans
6 these people, some of them are corporation,
7 million dollar corporations, very wealthy
8 people and you are telling me that you can't
9 spend a measly 2 or 3 million to help low
10 income people to fix up their houses and you
11 and Sara Hailstone put your heads together
12 and say this is good way to get around it?
13 Well, I spoke to HUD today and that's
14 not a good way to get around it, you will
15 hear. Nope. I don't want it.

16 MS. FANUCCI: I need to know who you
17 spoke to at HUD today.

18 MR. QUINN: I don't want to hear it.

19 I don't want to hear it.

20 MS. FANUCCI: Who did you speak to at

21 HUD today, can I ask you a question?

22 MR. QUINN: I don't want to hear it.

23 MS. FANUCCI: You spoke to someone

24 at --

25 MR. QUINN: Yes, I did.

.

67

1 MS. FANUCCI: At HUD today?

2 MR. QUINN: Yes.

3 MS. FANUCCI: Okay. Well, I'd like

4 their name.

5 MR. QUINN: No.

6 MS. FANUCCI: And after the meeting

7 would be fine, I'd love to find out.

8 MR. QUINN: No. I spoke to the

9 representative.

10 MS. FANUCCI: At HUD?

11 MR. QUINN: Yes.

12 MS. FANUCCI: What was his name?

13 MS. QUINN: Mary Ann Belfike. Okay?

14 You know what time I spoke to her? Also, on

15 there you have the SRA loans, why are SRA

16 making loans? Ice Box, 250. A quarter of a

17 million dollars. Marquee Theaters,
18 \$700,000. Woolworth Corporation \$265,000.
19 500 Lackawanna 250,000, and Casey Laundry,
20 48,000 and you have here back in the agenda
21 on "C" under motions, the SRA will take over
22 the sale of the loans. What is this SRA
23 thing? It's just something for the minutes,
24 the Doherty administration to not live up to
25 the responsibilities that he is supposed to
.
68

1 when he is passing it off to the SRA and
2 those stupid board members are gulping it
3 up, they are captive, and I hate to see
4 people who are captive.
5 Secondly, in regards to the Daron
6 Industries, okay, that's listed as light
7 industry. Now, if that's light industry
8 then I'm not Bob Quinn, okay? The fact is,
9 the fact is that is a heavy industrial plant
10 down there, okay, and in planning we call
11 that spot zoning. Somehow that had to go
12 between -- before the zoning committee and
13 that commission had to go before the

14 planning commission, they had to have an
15 approved development plan and I would like
16 you to, please, who would be responsible for
17 finding that out to the planning commission
18 and the zoning board if they were presented
19 these here development plans and how it was
20 then deemed light industry? Who would be
21 responsible? I appreciate if somebody would
22 write them a letter and find out so if we
23 know for sure if these people in there
24 through the process that needed under the
25 Home Rule Charter.

69

1 The other thing about those taxes,
2 you know, it's going to be -- you are not
3 going to collect any taxes off these people
4 who are delinquent three years plus, so, you
5 know, why don't you do what Philadelphia did
6 a few years back they declared amnesty and
7 they got people to come. They got people to
8 come and they'd say, all right, at least we
9 going to pay our taxes and they said now you
10 are going to start from square "A". We will

11 go along with that, the Taxpayers
12 Association. We don't want to put people
13 out in the street. Mr. McGoff is saying
14 that they are not penalized, 25 percent is a
15 penalty. Where do you get a thought like
16 that, it's not being penalized.
17 The second thing is on the
18 consideration for paying those snow removal
19 contractors, Judy, you are saying that we
20 have a surplus in debt service. Owing 108
21 million or more principal without interest,
22 owing -- we are debt \$300 million and you
23 are saying we have a plus? How can you say
24 that you are going to pay this on a debt
25 service? You are going to take it out of my
70

1 pocket to pay back the debt service? Come
2 on, get with it you three, will you? This
3 is getting sickening.
4 Regarding the Nay Aug pool, we
5 appreciate everything you did for passing e
6 that free kids swimming, okay, so now we are
7 going to put our kids into the recreation

8 commission to get them to open up the door

9 --

10 MR. MINORA: Five minutes.

11 MR. QUINN: I didn't get no bell.

12 MS. FANUCCI: There is no bell

13 anymore.

14 MR. QUINN: One minute warning.

15 MR. MINORA: Five minutes.

16 MR. QUINN: No. I got a bell. We

17 changed this last week, get with the

18 program.

19 MS. GATELLI: I heard him say it

20 before.

21 MR. QUINN: You can't change this

22 week to week.

23 MR. MINORA: We'll give him a minutes

24 notice. That's five.

25 MR. SPINDLER: It was changed last

.

71

1 week.

2 MS. GATELLI: Excuse me, I can't

3 hear him. How would be able to hear him

4 anyway with the goings on in here.

5 MS. EVANS: I heard him when he

6 stated --

7 MS. GATELLI: Please be quiet in the

8 audience. It's very difficult to here up

9 here. I'm sorry, Mr. Quin.

10 MR. QUINN: Well, in summation, okay,

11 we are going to go ahead, the Bureau of

12 Recreation, all right, this is the

13 Recreation Commission and see if they will

14 -- we are going to have --if they won't we

15 are going to continue our events to raise

16 money and to help those kids that, you know,

17 the Hill Neighborhood Association that's

18 their swimming pool, not everybody has a

19 swimming pool. Hill Neighborhood

20 Association kids, Nay Aug has always been

21 their swimming pool and a lot of them are

22 left out with that \$3 fee so we are going to

23 try to look into that, okay?

24 MR. MINORA: Seven minutes.

25 MR. QUINN: Stay off that debt.

.

72

1 MR. MCGOFF: Mr. Quinn, with the

2 approval of the other members of council I
3 would like to make a motion next week that
4 we at least -- that we send a letter to the
5 Recreation Committee asking them to waive
6 the one dollar fee.

7 MR. QUINN: It's not one dollar, it's
8 three dollars.

9 MS. FANUCCI: It's one for swimming
10 and --

11 MR. QUINN: Three dollars.

12 (Several audience members begin
13 speaking.)

14 MS. GATELLI: Excuse me.

15 MR. QUINN: You don't even know
16 what's going on there.

17 MR. MCGOFF: I'm sorry, Mr. Quinn.

18 MR. QUINN: No. Okay. Look at, you
19 know, what I really feel sorry --

20 MR. MINORA: Seven minutes.

21 MR. QUINN: Mrs. Gatelli, Mrs.

22 Fanucci and Mr. McGoff, to be captive in
23 this life. You know, in 1965 --

24 MS. GATELLI: Mr. Quinn, your time is
25 up.

1 MR. QUINN: You know, you are captive
2 to the mayor.

3 MS. GATELLI: Your time is up. Mr.
4 Patilla.

5 MS. EVANS: Mr. McGoff, just quickly,
6 I'm sorry, Mr. Patilla. I'm sorry, all I
7 need --

8 MR. PATILLA: Go ahead, I'll stay
9 back here. My time doesn't start yet. Go
10 ahead. My time starts when I come up here.

11 MS. EVANS: Prior to last year the
12 fee was \$5, a flat \$5 per person at Nay Aug,
13 last summer it was altered to \$1 if you are
14 swimming simply and \$3 for the water slide.
15 Now, I don't know if that will remain in
16 effect this year. The Recreation Authority
17 can certainly alter that in any way they so
18 choose and I would be very happy to approve
19 your motion for the letter, but I think even
20 Mr. Courtright can tell you this will
21 probably -- this will be the fourth year we
22 have set the letter requesting that, so I

23 wouldn't anticipate a positive response only
24 in that their answer which, of course, has
25 merit, is how would they then replace those
.

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1 funds which are used for the chemicals and
2 lifeguards, etcetera.

3 MS. GATELLI: Mr. Patilla.

4 MR. PATILLA: I was at the meeting of
5 Parks and Recs, it's \$3 to swim, \$3 for the
6 slide and I was there when they voted on
7 that. All right, but now. Sam Patilla,
8 city resident, city taxpayer. Miss Evans,
9 my understanding of the subordinate
10 agreement is when the -- in this case the
11 city, OECD, gives up it's first right of
12 repayment, all right, so how in the world
13 can you sit there and cry about collecting
14 money and then turn around and give up the
15 first right to repayment to the bank?
16 That's -- that's -- the only political
17 terrorists, and I mean this from the bottom
18 of my heart, are you Mr. McGoff, I'm sorry,
19 Mrs. Gatelli, I really like you, but you

20 when you vote for that stuff, Miss Fanucci
21 and Amil Minora, those are the only
22 political terrorists in this room, including
23 everybody from Doherty and his department
24 heads. Those are the political terrorists
25 because you are sitting here and you're
.
75

1 trying to run in and around with all of this
2 legislation, you are lying to these people
3 out here, you are not telling them the
4 truth. You are stealing and robbing them
5 blind. It's time for the actual tax fees
6 being paid by the businesses and the
7 homeowners in the city. The only thing
8 don't make available taxpayer, but,
9 Mr. Evans, you need to get that list,
10 because it's just like you said, the rich
11 aren't paying squat, the business aren't
12 paying squat, you are looking for the low to
13 average income taxpayer to carry the load of
14 the burden of this entire city and you guys
15 got to cut that crap out.
16 Now, into what I want to say. I lot

17 of people out there think that I need to

18 calm it down because --

19 MS. GATELLI: Yes, I think you do,

20 Mr. Patilla.

21 MR. PATILLA: -- they are afraid of

22 me, all right? Let me tell you something

23 like this, okay? I have never threatened

24 anybody in my life. They don't have to fear

25 me as long as they are honest and not

.

76

1 political corrupt --

2 MS. GATELLI: It's not fear, it's

3 called decorum.

4 MR. PATILLA: They are not corrupt

5 officials. I had a policeman in front of my

6 house Tuesday circling in the intersection,

7 I walked outside and said, "Excuse me,

8 Officer, what are you doing?"

9 "I don't have to tell you anything."

10 "What's your name and your badge

11 number?"

12 "I don't have to tell you anything."

13 Okay, you don't. Pick up my

14 telephone, call my attorney, let him listen
15 to it, ask him the same question, what are
16 you doing there, what's your name? I don't
17 have to tell you anything. Get on the
18 phone, call the FBI, what's your name,
19 what's your badge number? Oh, I got a
20 complaint the people are running the stop
21 sign in front of your house. I'm here on a
22 bicycle and I'm going to run down cars if
23 they run through the stop sign. I want to
24 thank you for giving me his name because I
25 called the Scranton Police Department, they
.

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1 told me he was COM-D, now I know where to
2 tag Doherty I'm going to tell you this from
3 the bottom of my heart, no disrespect to Jim
4 Davis because I don't have a heart in this
5 town that you can tear down her house, I
6 don't run from racism. If you're afraid of
7 me, you--

8 MS. GATELLI: Excuse me. Excuse me.

9 MS. PATILLA: My wife -- no, no, no.

10 MS. GATELLI: Mr. Patilla.

11 MR. PATILLA: Go ahead and say what
12 you got to say. My time stops right now.

13 MS. GATELLI: You're out of order.

14 MR. PATILLA: No, I'm not. No, I'm
15 not.

16 MS. GATELLI: Yes.

17 MR. PATILLA: When you send -- when
18 you send somebody with political position to
19 threaten or terrorize a resident, all
20 right--

21 MS. GATELLI: Oh, I'm sorry, you are
22 out of order.

23 MR. PATILLA: I'm out of order?

24 MS. GATELLI: Yes, you are.

25 MR. PATILLA: I'm out of order, why
.

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1 didn't he give me his name and his badge.

2 MS. GATELLI: I have no idea.

3 MR. PATILLA: Why didn't he answer me
4 why he was there.

5 MS. GATELLI: I have no idea why.

6 MR. PATILLA: Why did he leave when
7 my attorney told me to take a picture of

8 him? If he was there in a police capacity
9 checking for people running the stop sign
10 why did he leave right after my lawyer told
11 me take his picture?

12 MS. GATELLI: I have no idea.

13 MR. PATILLA: Now, I want you people
14 out there, all right, you don't have
15 anything to fear from me, all right? I'm an
16 honest, hardworking man. You don't have --
17 I don't want anybody giving me anything. I
18 work for mine. I speak for myself, all
19 right? But, you threaten me, you threaten
20 my wife, you threaten my home, the rules of
21 engagement is deadly force do apply and will
22 be applied. I'm not Mr. Davis, I'm not one
23 of these people that you can threaten --

24 MS. GATELLI: Mr. Patilla, are you
25 threatening us?

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79

1 MR. PATILLA: No, you're threatening
2 me when you send police to my house.

3 MS. GATELLI: I did not send police
4 to your house.

5 MR. PATILLA: All right. I also

6 found out that --

7 MS. GATELLI: You are out of order.

8 MR. PATILLA: That you tend --

9 MS. GATELLI: Mr. Patilla, step

10 down.

11 MR. PATILLA: Lieutenant Duffy was --

12 MS. GATELLI: You are out of order.

13 MR. PATILLA: -- is the uncle of--

14 MS. GATELLI: Officer, would you ask

15 him to leave.

16 MR. PATILLA: -- Sherry Tarapachak,

17 the owner of Alexanders, so if I find out --

18 like I said, I already called the FBI, I

19 already called my attorney.

20 MS. GATELLI: I make a motion to

21 adjourn.

22 (Whereupon several audience members

23 began to speak.)

24 MR. PATILLA: You can't terrorize

25 people.

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80

1 MS. EVANS: What about a motion to

2 recess.

3 MR. COURTRIGHT: A motion to recess.

4 MS. GATELLI: Make a motion to

5 recess.

6 MR. MCGOFF: Second.

7 (Whereupon the proceedings became

8 untranscribable.)

9 MS. GATELLI: Make a motion to

10 adjourn.

11 MR. MCGOFF: Second.

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2 C E R T I F I C A T E

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4 I hereby certify that the proceedings and
5 evidence are contained fully and accurately in the
6 notes of testimony taken by me at the hearing of the
7 above-captioned matter and that the foregoing is a true
8 and correct transcript of the same to the best of my
9 ability.

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CATHENE S. NARDOZZI
15 OFFICIAL COURT REPORTER

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